



## IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re application of LAWRENCE A. JOHNSON Method to Preselect the Sex of Offspring

## DISCLOSURE STATEMENT

The following references are submitted herewith for consideration in accordance with 37 CFR 1.97 and 1.98.

Johnson (1988) describes the sorting of intact bull and boar sperm using a modified Epics V cell sorter. This reference is not available against the present application since it was published less than one year prior to the filing date.

Conover and Gwatkin (1988) describe the use of fluorochrome, Hoechst 33342, to stain mouse oocytes to observe sperm-oocyte fusion.

Johnson and Clarke (1988) report the sorting of mammalian sperm heads by flow cytometric procedures. Viability was demonstrated by microinjection into hamster oocytes.

Johnson et al. (1987) found that sonication of mammalian spermatoza was an effective way to remove the tails prior to staining and sorting.

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Hinkley et al. (1986) teach that fluorochrome Hoechst 33342 is a useful stain for visualizing the fertilization of sea urchin eggs.

Johnson and Pinkel (1986) and Johnson (1986) describe the modification of a Coulter Epics V cytometer to render it suitable for DNA-based sorting of mammalian spermatoza.

Grogan et al. (1981) used Hoechst 33342 and a 2-parameter cell sorter to measure DNA content in viable mouse testis cells.

Loken (1980) describes the separation of viable T and B lymphocytes using Hoechst 33342 stain.

Bryant (1980) teaches the use of a male-specific antibody coupled to a solid-phase immunoabsorbent material to separate male-determining from female-determining sperm.

Applicants submit that the above references taken alone or in combination neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to this application is respectfully requested.

Respectfully submitted,

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11 Enclosures List of Prior Art Cited (3 pp.) 10 references